

Message Text

CONFIDENTIAL

PAGE 01 TOKYO 04486 201020Z
ACTION OES-07

INFO OCT-01 EA-10 ISO-00 SOE-02 AID-05 CEA-01 CIAE-00
COME-00 DODE-00 EB-08 H-01 INR-10 INT-05 L-03
NSAE-00 NSC-05 OMB-01 PM-05 USIA-06 SP-02 SS-15
STR-07 TRSE-00 ACDA-12 /106 W
-----059790 201303Z /47

R 200924Z MAR 78
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 6314
INFO DOE GERMANTOWN MD
AMEMBASSY SEOUL
DOE WASHDC

CONFIDENTIAL TOKYO 04486

E.O. 11652: GDS
TAGS: TECH, ENRG, JA
SUBJECT: AGREEMENT FOR COOPERATION RENEGOTIATIONS

REF: STATE 67419

1. THERE IS NO REAL CONFLICT BETWEEN OHTA'S COMMENT TO NOSENZO AND OKAWA'S REMARKS TO DR. NYE. OHTA WAS REFERRING TO NEED FOR BRIEFING IN TOKYO BY USG TO EXPLAIN NNPA, AND OKAWA TO LITERAL BEGINNING OF NEGOTIATIONS--A PROCESS THAT WOULD FOLLOW AFTER GOJ HAD BECOME FAMILIAR IN DEPTH WITH NNPA.

2. EMBOFF DISCUSSED MATTER FULLY WITH OHTA ON MARCH 17. IT IS APPARENT EVEN BEFORE RECEIPT OF FINAL TEXT OF ACT THAT GOJ WILL HAVE MANY QUESTIONS ABOUT ITS INTERPRETATION. THESE WILL INCLUDE (A) LEGAL DEFINITION OF ACT'S RETRO-ACTIVITY, WHICH MAY BE DIFFERENT FROM SECTION TO SECTION; (B) DEFINITION OF "PREVIOUSLY EXPORTED ITEMS" WHICH APPEARED IN SEN. GLENN'S BILL BUT NOT IN HOUSE VERSION AND WHICH MAY OR MAY NOT BE IN FINAL VERSION;
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 TOKYO 04486 201020Z

(C) SPECIFICATION AS TO WHETHER TECHNOLOGY TRANSFER FOR NUCLEAR POWER PLANTS CONSTITUTES AN "EXPORT." OHTA BELIEVES THAT A VISIT TO TOKYO BY ONE OR MORE EXPERTS IN NEAR FUTURE IS VERY IMPORTANT. THEY SHOULD BE ABLE TO EXPLAIN TECHNICAL AND LEGAL NUANCES OF ACT IN DEPTH. (WE SUGGEST THAT THEY ALSO BE PREPARED TO EXPLAIN MODEL AGREEMENT PROMISED REFTEL.) ASSUMING THAT FINAL TEXT

OF ACT AND MODEL AGREEMENT ARE RECEIVED IN TOKYO WITHIN NEXT WEEK, VISIT COULD TAKE PLACE APPROXIMATELY TWO WEEKS THEREAFTER--TO GIVE GOJ TIME TO GENERATE QUESTIONS. STARTING AROUND LAST WEEK IN APRIL, GOJ NUCLEAR PEOPLE WILL BE VERY BUSY WITH NUMBER OF OTHER ACTIONS WHICH WILL OCCUPY THEIR TIME UNTIL MIDDLE OF MAY. THEREFORE WINDOW FROM APRIL 10 TO 21 SEEMS BEST FOR SUCH A VISIT. EMBOFF THOUGHT THAT ONE OR TWO DAYS WOULD SUFFICE FOR SUCH BRIEFINGS.

3. RENEGOTIATION OF AGREEMENT PRESUMABLY COULD BEGIN AT SOME TIME AFTER GOJ HAD DIGESTED INFO FROM BRIEFINGS AND CONCEIVABLY HAD ASKED MORE LEGAL OR TECHNICAL QUESTIONS. OHTA STRESSED, HOWEVER, THAT GOJ WAS BEING WATCHED CLOSELY BY POLITICAL FACTIONS AND WOULD FIND IT "DIFFICULT" TO START NEGOTIATIONS UNTIL IT WAS CLEAR THAT EURATOM NEGOTIATIONS HAD BEGUN. CURRENT SESSION OF DIET, DEMANDING ATTENTION OF OKAWA AND SENIOR STA OFFICIALS, WILL NOT END UNTIL MAY 17 AND AN EXTENSION IS POSSIBLE (BUT NOT LIKELY AT THIS TIME). WEEK-LONG MEETING OF INFCE WG 4 IS SCHEDULED IN TOKYO MIDDLE OF MAY AND THIS PERIOD NEEDS TO BE AVOIDED ALSO. CONSEQUENTLY, NEGOTIATIONS COULD BEGIN AROUND FIRST OF JUNE, IF EURATOM CAVEAT IS NO LONGER APPLICABLE AT THAT TIME.

4. FYI: GOJ IS WORKING DILIGENTLY TO UNDERSTAND NNPA,
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 TOKYO 04486 201020Z

IF NUMBER OF QUESTIONS ASKED US IS INDICATION. WE HAVE REFRAINED FROM TRYING TO PROVIDE ANSWERS KNOWING THAT EXPERTS WILL BE HERE FOR THAT PURPOSE AND RECOGNIZING THAT WE OURSELVES ARE UNABLE TO ADEQUATELY TRACK COMPLEX LANGUAGE OF HOUSE VERSION. WE ARE ALSO MINDFUL THAT WE DO NOT HAVE LEGAL EXPERTISE OR AUTHORITY TO INTERPRET ACT AND STRONGLY RECOMMEND THAT DEPT. OR DOE LAWYER BE DESIGNATED TO PERFORM THIS FUNCTION. MANSFIELD

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, NUCLEAR POWER PLANTS, TECHNOLOGICAL EXCHANGES
Control Number: n/a
Copy: SINGLE
Draft Date: 20 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TOKYO04486
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780122-0544
Format: TEL
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780345/aaaabmfk.tel
Line Count: 102
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 2ae760c3-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 67419
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 10 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3263298
Secure: OPEN
Status: NATIVE
Subject: AGREEMENT FOR COOPERATION RENEGOTIATIONS
TAGS: TECH, ENRG, JA
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/2ae760c3-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014